IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 18134 of 2007(H)

PETITIONERS:

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1. **S. RAHIM,**
   OTTAPLAVILAYIL HOUSE, PAYYANELLOOR P.O.,
   NOOANADU, WORKING AS LIVESTOCK INSPECTOR GRADE II,
   I.C.D.P. SUB CENTRE, PALLICKAL.

2. **K.K. THAJUDEEN,**
   KADUVUNKAAL HOUSE, KUMARAPURAM P.O., HARIPAD,
   WORKING AS LIVESTOCK INSPECTOR GRADE II,
   I.C.D.P. SUB CENTRE, PUNNAMOODU.

3. **JAYABHARATHI S.K.,**
   SAHITHEE SADANAM, BUDHANOOR P.O., CHENGANNUR,
   WORKING AS LIVESTOCK INSPECTOR GRADE II,
   I.C.D.P. SUB CENTRE, ARATTUPUZHA.

4. **P.K. MAYADEVI PILLAI,**
   KOLLATHU HOUSE, PULIYOOR P.O., CHENGANNUR,
   WORKING AS LIVESTOCK INSPECTOR GRADE II,
   I.C.D.P. SUB CENTRE, BUDHANOOR.

5. **K. HALEEMA,**
   HALEEMA MANZIL, IYIKKUNNAM, SASTHAMKOTTA P.O.,
   WORKING AS LIVESTOCK INSPECTOR GRADE II,
   I.C.D.P. SUB CENTRE, ELIPPAKKULAM.

6. **S. SUJATHA KUMARI,**
   SHYAMALALAYAM, ARUNOOTTIMANGALAM P.O.,
   MAVELIKKARA, WORKING AS LIVESTOCK INSPECTOR GR.II,
   I.C.D.P. SUB CENTRE, VAZHUVADI.

7. **K.C. MARIAMMA,**
   KOLLUZHITHUNDIYIL HOUSE, PANDANAD P.O.,CHENGANNUR,
   WORKING AS LIVESTOCK INSPECTOR GRADE II,
   I.C.D.P. SUB CENTRE, PARUKKARA.

8. MARYKUTTY PAPPY,
LOORDPURAM, KOMALLUR P.O., CHARUMMODU,
WORKING AS LIVESTOCK INSPECTOR GRADE II,
I.C.D.P. SUB CENTRE, THEKKE MANKUZHY.

9. N.A. MARIAMMA,
JOY VILLA, PANDANAD WEST P.O., CHENGANNUR,
WORKING AS LIVESTOCK INSPECTOR GRADE II,
I.C.D.P. SUB CENTRE, PRAYAR.

10. M.S. MANJU,
THEKKEDATH VADAKKETHIL, PALLAIKKAL P.O.,KATTANAM,
WORKING AS LIVESTOCK INSPECTOR GRADE II,
VETERINARY HOSPITAL, KAYAMKULAM.

11. BENCY MATHAI,
PUTHIYAPARAMBIL, THIRUVANVANDOOR P.O., CHENGANNUR,
WORKING AS LIVESTOCK INSPECTOR GRADE II,
I.C.D.P. SUB CENTRE, THIRUVANVANDOOR.

12. P.Y. MARIAMMA,
UNNETHU HOUSE, PULIYOOR P.O., CHENGANNUR,
WORKING AS LIVESTOCK INSPECTOR GRADE II,
I.C.D.P. SUB CENTRE, CHERIYANADU.

13. NISHA RAJAN,
PULIVELIL, MAVELIKKARA, WORKING AS LIVESTOCK
INSPCTOR GRADE II, I.C.D.P. SUB CENTRE,
KANNAMANGALAM.

14. K. JAYASREE,
VAISHNAVAM, ERAVANKARA P.O., MAVELIKKARA,
WORKING AS LIVESTOCK INSPECTOR GRADE II,
I.C.D.P. SUB CENTRE, ERAVANKARA.

15. JYOTHILEKSHMI,
KALEECKAL HOUSE, KUTTAMPEROOR P.O., MANNAR,
WORKING AS LIVESTOCK INSPECTOR GRADE II,
I.C.D.P. SUB CENTRE, MANNAR.

BY ADV. SRI.K.R.RADHAKRISHNAN NAIR

WPC.NO.18134/2007 H

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY ITS PRINCIPAL SECRETARY,
   DEPARTMENT OF FINANCE, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE SECRETARY TO GOVERNMENT,**
   DAIRY DEVELOPMENT, SECRETARIAT,THIRUVANANTHAPURAM.

3. **THE DIRECTOR OF ANIMAL HUSBANDRY,**
   THIRUVANANTHAPURAM.

4. **THE DISTRICT VETERINARY OFFICER, ALLEPPEY.**

5. **THE ACCOUNTANT GENERAL (A & E),**
   KERALA, THIRUVANANTHAPURAM.

6. **THE ASST. PROJECT OFFICER,**
   REGIONAL A.I. CENTRE., MAVELIKKARA.

7. **THE DISTRICT TREASURY OFFICER, ALLEPPEY.**

BY SR.GOVERNMENT PLEADER SRI. NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.18134/2007 H

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE LETTER NO.C-ORD II 15-160 VOL.XII-73486 DTD. 2/08/2006 OF THE ACCOUNTANT GENERAL AND GOVT. LETTER NO.46994 SS3/2006 FIN DTD. 30/06/2006.**

EXT.P2: **COPY OF THE LETTER NO.A-3190/06 DTD. 10/01/2007 OF THE 6TH RESPONDENT.**

EXT.P3: **COPY OF THE LETTER NO.A-3190/06 DTD. 19/02/2007 OF THE 6TH RESPONDENT.**

EXT.P4: **COPY OF THE REPRESENTATION DTD. 15/03/2007 SUBMITTED BY THE PRESIDENT OF THE KERALA LIVESTOCK INSPECTORS' UNION, DISTRICT COMMITTEE, ALAPPUZHA.**

EXT.P5: **COPY OF THE REPRESENTATION DTD. 15/03/2007 SUBMITTED BY THE PETITIONERS TO THE 3RD RESPONDENT.**

EXT.P6: **COPY OF THE JUDGMENT DTD. 28/03/2007 IN WRIT PETITION NO.10928/2007 (A) OF THIS HON'BLE COURT.**

/TRUE COPY/

P.A.TO JUDGE

KSS

V. GIRI ,J.

WP(C).NO.18134 of 2007

Dated this the 19th day of November, 2007

JUDGMENT

The petitioners were originally appointed as Live Stock Inspectors Grade II on provisional basis. They were later regularised. Challenge in the writ petition is against the proceedings taken by the respondents for recovery of the dearness allowance paid to the petitioners attributable to their provisional service. Mr.Manoj Kumar, learned Government Pleader submits that G.O.(P)516/2007/Fin.dated 23.10.2007 has ratified the payment of arrears of dearness allowance and other allowances made to provisional hands for the period from 16.1.2002 to 31.5.2003. He, therefore, submits that no further recovery will be made from the amounts paid to the petitioners. Submission is recorded. No other grievance survives in this writ petition and the same is therefore closed.

V.GIRI, JUDGE

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